REMARKS

Assignee respectfully requests reconsideration and allowance in view of the foregoing amendment and the following remarks. Assignee amends claims 1, 2, 12, 13, 28, 30, 32 – 36, 39, 41 and 43, and cancels claims 38 and 40, without prejudice or disclaimer.

Rejection of Claims 1-4, 12-15 and 28-37 Under Section 103

The Final Office action rejects claims 1-4, 12-15 and 28-37 under 35 U.S.C. §103(a) as being unpatentable over Galler et al. (U.S. Patent No. 5,991,720) ("Galler") in view of Thrift et al. (U.S. Patent No. 6,188,985) ("Thrift"). This ground of rejection is respectfully traversed to the extent that it may be applied to claims 1, 12 and 32 as amended herein.

A general description of an embodiment follows. A system retrieves from a reference identifier database a reference identifier. The dynamic grammar is derived by storing, in a dynamic grammar memory, reference identifiers determined to match at least one of the pluralities of selection identifiers, together with data elements that are associated with the matching reference identifiers. The system generates at least one correlation identifier from second user input received from the user; compares the at least one correlation identifier with data elements stored in the dynamic grammar memory to determine which data element matches the at least one correlation identifier; and retrieves from the reference identifier database the reference identifier associated with the data element determined to match the at least one correlation identifier. A non-limiting example of this concept is described in the specification with reference to the flow diagram of Fig. 5 and corresponding description at pages 14 -17.

We shall first address claim 1. Claim 1 recites retrieving a reference identifier from a reference identifier database by deriving a dynamic grammar. This claim also recites comparing second user input with correlation data elements in the dynamic grammar to determine which reference identifier corresponds to the match data element in the dynamic grammar. In contrast,

Galler discloses a single pass method of processing acoustic speech for word recognition. Galler also discloses extracting first and second pluralities of recognition candidates from acoustic speech data using first and second grammar models and aligning the recognition candidates with a dictionary of predetermined words to generate first and second lists of word candidates to build a dynamic grammar model. However, Galler fails to disclose or suggest retrieving a single reference identifier from a reference identifier database by deriving a dynamic grammar from first user speech input and comparing second user input with correlation data elements in the dynamic grammar to determine which reference identifier corresponds to the match data element in the dynamic grammar.

Thrift, relied on in the Office Action as disclosing recognition of non-letter, non-number typographical characters, is non-analogous to the claimed invention and thus no modification of Galler with Thrift could result in the claimed invention.

Therefore, because at least one limitation of claim 1 is not taught by Galler or the combined cited art, claim 1 is patentable and in condition for allowance. Claim 2 – 4 and 28-29 each depend from claim 1 and recited further limitations therefrom. These claims are patentable as well.

Claim 12 includes similar limitations to claim 1. Accordingly, claim 12 and its dependent claims 13-15 and 30-31 are patentable.

Similarly, claim 32 and its dependent claims 33-37 are also patentable for the same reasons set forth above.

Rejection of Claims 38-43 Under 35 U.S.C. §103(a)

The Office action rejects claims 38-43 under 35 U.S.C. §103(a) as being unpatentable over Galler in view of Thrift and further in view of Kanevsky et al. (U.S. Patent No. 5,897,616)

("Kanevsky"). This ground of rejection is traversed to the extent that it may be applied to claims 1, 12 and 32 as amended.

Kanevsky discloses controlling speaker access to services and facilities. A user provides speech input to a server, which uses a user database of acoustic and non-acoustic information to perform verification/identification of a user. The server decodes a user utterance to identify the user and then consults a database containing information specific to the identified user, and issues a question to the user to provide an answer matching the information contained in the database. If the answer is determined to match the information (based on a scoring algorithm to take into account speech recognition error rates), then the user is granted access. If the answer is determined to not match the information, then access is denied.

Kanevsky does not disclose the features of the claimed invention that are missing from the proposed Galler/Thrift combination, such that no addition of Kanevsky to the proposed combination of Galler/Thrift could result in the claimed invention.

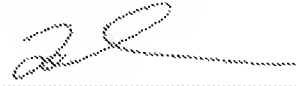Therefore, claims 38 – 43 are patentable and in condition for allowance.

Have identified at least one limitation not taught in the combination of references, the present claims are patentable in view of the cited art. Assignee however further reserves the right to further argue against the legal analysis of whether a person of skill in the art would find it obvious to combine the references cited herein in any future prosecution.

CONCLUSION

Having addressed all rejections and objections, the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: May 7, 2010   By: _____

Correspondence Address: Thomas M. Isaacson
Customer No. 83224   Attorney for Assignee
                                            Reg. No. 44,166
                                            Phone: 410-286-9405
                                            Fax No.: 410-510-1433